

Fill in this information to identify your case:

Debtor 1	Ternee S. Moye		
	First Name	Middle Name	Last Name
Debtor 2			
(Spouse, if filing)	First Name	Middle Name	Last Name
Case number	19-60136		
(If known)			

☐ Check if this is an amended plan.

Chapter 13 Plan and Motion

[Pursuant to Fed. R. Bankr. P. 3015.1, the Southern District of Georgia General Order 2017-3 adopts this form in lieu of the Official Form 113].

1. Notices. Debtor(s) must check one box on each line to state whether or not the plan includes each of the following items. If an item is checked as not being contained in the plan or if neither or both boxes are checked, the provision will be ineffective if set out in the plan.

- (a) This plan: ☒ contains nonstandard provisions. See paragraph 15 below.
☐ does not contain nonstandard provisions.
- (b) This plan: ☒ values the claim(s) that secures collateral. See paragraph 4(f) below.
☐ does not value claim(s) that secures collateral.
- (c) This plan: ☒ seeks to avoid a lien or security interest. See paragraph 8 below.
☐ does not seek to avoid a lien or security interest.

2. Plan Payments.

- (a) The Debtor(s) shall pay to the Chapter 13 Trustee (the "Trustee") the sum of **\$139.00** for the applicable commitment period of:
☐ 60 months: or
☒ a minimum of 36 months. See 11 U.S.C. § 1325(b)(4).
(If applicable include the following: These plan payments will change to \$_____ monthly on _____.)
- (b) The payments under paragraph 2(a) shall be paid:
☒ Pursuant to a Notice to Commence Wage Withholding, the Debtor(s) request(s) that the Trustee serve such Notice(s) upon the Debtor's(s') employer(s) as soon as practicable after the filing of this plan. Such Notice(s) shall direct the Debtor's(s') employer(s) to withhold and remit to the Trustee a dollar amount that corresponds to the following percentages of the monthly plan payment:
☒ Debtor 1 **100** % ☐ Debtor 2 ____ %
☐ Direct to the Trustee for the following reason(s):
☐ The Debtor(s) receive(s) income solely from self-employment, Social Security, government assistance, or retirement.
☐ The Debtor(s) assert(s) that wage withholding is not feasible for the following reason(s):

- (c) Additional Payments of **\$0** (estimated amount) will be made on _____, (anticipated date) from (source, including income tax refunds).

3. Long-Term Debt Payments.

- (a) **Maintenance of Current Installment Payments.** The Debtor(s) will make monthly payments in the manner specified as follows on the following long-term debts pursuant to 11 U.S.C. § 1322(b)(5). These postpetition payments will be disbursed by either the Trustee or directly by the Debtor(s), as specified below. Postpetition payments are to be applied to postpetition amounts owed for principal, interest, authorized postpetition late charges and escrow, if applicable. Conduit payments that are to be made by the Trustee which

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become due after the filing of the petition but before the month of the first payment designated here will be added to the prepetition arrearage claim.

CREDITOR	COLLATERAL	PRINCIPAL RESIDENCE (Y/N)	PAYMENTS TO MADE BY (TRUSTEE OR DEBTOR(S))	MONTH OF FIRST POSTPETITION PAYMENT TO CREDITOR	INITIAL MONTHLY PAYMENT
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-NONE-

- (b) **Cure of Arrearage on Long-Term Debt.** Pursuant to 11 U.S.C. § 1322(b)(5), prepetition arrearage claims will be paid in full through disbursements by the Trustee, with interest (if any) at the rate stated below. Prepetition arrearage payments are to be applied to prepetition amounts owed as evidenced by the allowed claim.

CREDITOR	DESCRIPTION OF COLLATERAL	PRINCIPAL RESIDENCE (Y/N)	ESTIMATED AMOUNT OF ARREARAGE	INTEREST RATE ON ARREARAGE (if applicable)
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-NONE-

4. Treatment of Claims. From the payments received, the Trustee shall make disbursements as follows unless designated otherwise:

- (a) **Trustee's Fees.** The Trustee percentage fee as set by the United States Trustee.
- (b) **Attorney's Fees.** Attorney's fees allowed pursuant to 11 U.S.C. § 507(a)(2) of **\$2,500.00**.
- (c) **Priority Claims.** Other 11 U.S.C. § 507 claims, unless provided for otherwise in the plan will be paid in full over the life of the plan as funds become available in the order specified by law.
- (d) **Fully Secured Allowed Claims.** All allowed claims that are fully secured shall be paid through the plan as set forth below.

CREDITOR	DESCRIPTION OF COLLATERAL	ESTIMATED CLAIM	INTEREST RATE	MONTHLY PAYMENT
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-NONE-

- (e) **Secured Claims Excluded from 11 U.S.C. § 506 (those claims subject to the hanging paragraph of 11 U.S.C. § 1325(a)).** The claims listed below were either: (1) incurred within 910 days before the petition date and secured by a purchase money security interest in a motor vehicle acquired for the personal use of the Debtor(s), or (2) incurred within 1 year of the petition date and secured by a purchase money security interest in any other thing of value. These claims will be paid in full under the plan with interest at the rate stated below:

CREDITOR	DESCRIPTION OF COLLATERAL	ESTIMATED CLAIM	INTEREST RATE	MONTHLY PAYMENT
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-NONE-

- (f) **Valuation of Secured Claims to Which 11 U.S.C. § 506 is Applicable.** The Debtor(s) move(s) to value the claims partially secured by collateral pursuant to 11 U.S.C. § 506 and provide payment in satisfaction of those claims as set forth below. The unsecured portion of any bifurcated claims set forth below will be paid pursuant to paragraph 4(h) below. The plan shall be served on all affected creditors in compliance with Fed. R. Bankr. P. 3012(b), and the Debtor(s) shall attach a certificate of service.

CREDITOR	DESCRIPTION OF COLLATERAL	VALUATION OF SECURED CLAIM	INTEREST RATE	MONTHLY PAYMENT
Economy Finance	Miscellaneous Household goods and all other collateral	\$1.00	0.00%	Min. \$1.00
One Main	Miscellaneous Household goods and all other collateral	\$1.00	0.00%	Min. \$1.00
Republic Finance	Miscellaneous Household goods and all other collateral	\$1.00	0.00%	Min. \$1.00
Security Finance	Miscellaneous Household goods and all other collateral	\$1.00	0.00%	Min. \$1.00

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- (g) **Special Treatment of Unsecured Claims.** The following unsecured allowed claims are classified to be paid at 100%

☐ with interest at ____% per annum; or ☐ without interest:

None

- (h) **General Unsecured Claims.** Allowed general unsecured claims, including the unsecured portion of any bifurcated claims provided for in paragraph 4(f) or paragraph 9 of this plan, will be paid a 0.00% dividend or a pro rata share of \$1,999.60, whichever is greater.

5. **Executory Contracts.**

- (a) **Maintenance of Current Installment Payments or Rejection of Executory Contract(s) and/or Unexpired Lease(s).**

CREDITOR	DESCRIPTION OF PROPERTY/SERVICES AND CONTRACT	ASSUMED/REJECTED	MONTHLY PAYMENT	DISBURSED BY TRUSTEE OR DEBTORS
AT & T	Cell phone contract	Reject		
Eagle Self Storage	Storage unit rental	Assume	\$60.00	Debtor
Progressive Leasing	Furniture lease	Assume	\$242.00	Debtor
Progressive Leasing	Furniture lease	Assume	\$72.00	Debtor

- (b) **Treatment of Arrearages.** Prepetition arrearage claims will be paid in full through disbursements by the Trustee.

CREDITOR	ESTIMATED ARREARAGE
-NONE-	

6. **Adequate Protection Payments.** The Debtor(s) will make pre-confirmation lease and adequate protection payments pursuant to 11 U.S.C. § 1326(a)(1) on allowed claims of the following creditors: ☐ Direct to the Creditor; or ☐ To the Trustee

CREDITOR	ADEQUATE PROTECTION OR LEASE PAYMENT AMOUNT
-NONE-	

7. **Domestic Support Obligations.** The Debtor(s) will pay all postpetition domestic support obligations direct to the holder of such claim identified here. See 11 U.S.C. § 101(14A). The Trustee will provide the statutory notice of 11 U.S.C. § 1302(d) to the following claimant(s):

CLAIMANT	ADDRESS
-NONE-	

8. **Lien Avoidance.** Pursuant to 11 U.S.C. § 522(f), the Debtor(s) move(s) to avoid the lien(s) or security interest(s) of the following creditor(s), upon confirmation but subject to 11 U.S.C. § 349, with respect to the property described below. The plan shall be served on all affected creditor(s) in compliance with Fed. R. Bankr. P. 4003(d), and the Debtor(s) shall attach a certificate of service.

CREDITOR	LIEN IDENTIFICATION (if known)	PROPERTY
Economy Finance		Miscellaneous Household goods
One Main		Miscellaneous Household goods
Republic Finance		Miscellaneous Household goods
Security Finance		Miscellaneous Household goods

9. **Surrender of Collateral.** The following collateral is surrendered to the creditor to satisfy the secured claim to the extent shown below upon confirmation of the plan. The Debtor(s) request(s) that upon confirmation of this plan the stay under 11 U.S.C. § 362(a) be terminated as to the collateral only and that the stay under 11 U.S.C. § 1301 be terminated in all respects. Any allowed deficiency balance resulting from a creditor's disposition of the collateral will be treated as an unsecured claim in paragraph 4(h) of this plan if the creditor amends its previously-filed, timely claim within 180 days from entry of the order confirming this plan or by such additional time as the creditor may be granted upon motion filed within that 180-day period.

CREDITOR	DESCRIPTION OF COLLATERAL	AMOUNT OF CLAIM SATISFIED
-NONE-		

10. **Retention of Liens.** Holders of allowed secured claims shall retain the liens securing said claims to the full extent provided by 11 U.S.C. § 1325(a)(5).

11. **Amounts of Claims and Claim Objections.** The amount, and secured or unsecured status, of claims disclosed in this plan are based upon the best estimate and belief of the Debtor(s). An allowed proof of claim will supersede those estimated claims. In accordance with the

Bankruptcy Code and Federal Rules of Bankruptcy Procedure objections to claims may be filed before or after confirmation.

- 12. Payment Increases.** The Debtor(s) will increase payments in the amount necessary to fund allowed claims as this plan proposes, after notice from the Trustee and a hearing if necessary, unless a plan modification is approved.
- 13. Federal Rule of Bankruptcy Procedure 3002.1.** The Trustee shall not pay any fees, expenses, or charges disclosed by a creditor pursuant to Fed. R. Bankr. P. 3002.1(c) unless the Debtor's(s) plan is modified after the filing of the notice to provide for payment of such fees, expenses, or charges.
- 14. Service of Plan.** Pursuant to Fed. R. Bankr. P. 3015(d) and General Order 2017-3, the Debtor(s) shall serve the Chapter 13 plan on the Trustee and all creditors when the plan is filed with the court, and file a certificate of service accordingly. If the Debtor(s) seek(s) to limit the amount of a secured claim based on valuation of collateral (paragraph 4(f) above), seek(s) to avoid a security interest or lien (paragraph 8 above), or seek(s) to initiate a contested matter, the Debtor(s) must serve the plan on the affected creditors pursuant to Fed. R. Bankr. P. 7004. See Fed. R. Bankr. P. 3012(b), 4003(d), and 9014.
- 15. Nonstandard Provisions.** Under Fed. R. Bankr. P. 3015(c), nonstandard provisions must be set forth below. A nonstandard provision is a provision not otherwise in this local plan form or deviating from it. Nonstandard provisions set out elsewhere in this plan are void.

Swainsboro Finance #063Y-16 is a contingent claim paid outside of the plan by Jaris Lockett according to the contract.

Swainsboro Finance #063Y-17 is a contingent claim paid outside of the plan by Yachi Jarrett according to the contract.

By signing below, I certify the foregoing plan contains no nonstandard provisions other than those set out in paragraph 15.

Dated: March 29, 2019

/s/ Ternee S. Moyer

Ternee S. Moyer

Debtor 1

Debtor 2

/s/ J. Michael Hall

J. Michael Hall 319333

Attorney for the Debtor(s)

**United States Bankruptcy Court
For the Southern District of Georgia**

In the Matter of:)	Chapter 13 Bankruptcy
)	
Ternee S. Moye,)	Case No. 19-60136
)	
Debtor.)	

CERTIFICATE OF SERVICE

I certify that I have served the Plan by United States standard first-class mail to the Chapter 13 Trustee, the US Trustee, and on the following parties below and on the attached mailing matrix:

O. Byron Meredith, III
Chapter 13 Trustee
PO Box 10556
Savannah, GA 31412

Office of the U.S. Trustee
Johnson Square Business Center
2 E Bryan Street, Ste. 725
Savannah, GA 31401

This 29th day of March, 2019.

/s/ J. Michael Hall
Attorney Bar No. 319333
Attorney for Debtor
Hall & Navarro, LLC
5 Oak Street
Statesboro, GA 30458
Telephone: (912) 764-6757
E-Mail: mhall@hallnavarro.com

Label Matrix for local notations
113J-6
Case 19-60136
Southern District of Georgia
Statesboro
Fri Mar 29 19:40:05 EDT 2019

CCB Indigo/GF
PO Box 4499
Beaverton OR 97076-4499

Comenity Bank/Victoria Secret
PO Box 182789
Columbus OH 43218-2789

Dept. of Ed/Navient
PO Box 9635
Wilkes Barre PA 18773-9635

Economy Finance
34 S Broad St
Metter GA 30439-4428

(p)GEO VISTA CREDIT UNION
PO BOX 132
HINESVILLE GA 31310-0132

IC Systems, Inc.
PO Box 64378
Saint Paul MN 55164-0378

Ternee S. Moye
613 Plum Ave.
Millen, GA 30442-1521

Office of the U. S. Trustee
Johnson Square Business Center
2 East Bryan Street, Ste 725
Savannah, GA 31401-2638

(p)REPUBLIC FINANCE LLC
282 TOWER RD
PONCHATOULA LA 70454-8318

AT & T
c/o Bankruptcy
1801 Valley View Lane
Dallas TX 75234-8906

Capital One Bank USA, NA
PO Box 30249
Salt Lake City UT 84130-0249

Credit One Bank, NA
PO Box 98875
Las Vegas NV 89193-8875

Directv
PO Box 538606
Atlanta GA 30353-8606

Enhanced Recovery Co.
8014 Bayberry Road
Jacksonville FL 32256-7412

Georgia Power
Post Office Box 105537
Atlanta GA 30348-5537

Internal Revenue Service
Centralized Insolvency Operation
PO Box 7346
Philadelphia PA 19101-7346

Navient Solutions, Inc.
11100 USA Parkway
Fishers IN 46037-9203

One Main
PO Box 1010
Evansville IN 47706-1010

SYNCE/Wal-Mart
PO Box 965024
Orlando FL 32896-5024

AT&T Telecons
PO Box 537104
Atlanta GA 30353-7104

Celtic Bank/Contifinco
4450 New Linden Hill Rd.
Wilmington DE 19808

Credit One Bank, NA
PO Box 98873
Las Vegas NV 89193-8873

Eagle Self Storage
1009 GA Highway 23 N
Millen GA 30442

GA Dept. of Revenue
Compliance Division, ARCS-Bankruptcy
1800 Century Blvd. NW, Ste. 9100
Atlanta GA 30345

J. Michael Hall
Hall & Navarro, LLC
5 Oak Street
Statesboro, GA 30458-4848

Jaris Lockett
613 Plum Ave.
Millen GA 30442-1521

Navy Federal Credit Union
PO Box 3700
Merrifield VA 22119-3700

Progressive Leasing
256 West Data Drive
Draper UT 84020-2315

Security Finance
Central Bankruptcy & Recovery
PO Box 1893
Spartanburg SC 29304-1893

Zebit
9530 Towne Centre Drive
San Diego CA 92121-1981

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g) (4).

GeoVista Credit Union
601 W Oglethorpe Highway
Hinesville GA 31313

Republic Finance
721 S Main Street
Suite 2
Statesboro GA 30458

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(d)J. Michael Hall
Hall & Navarro, LLC
5 Oak Street
Statesboro, GA 30458-4848

(d)Ternee S. Moya
613 Plum Ave.
Millen GA 30442-1521

End of Label Matrix	
Mailable recipients	33
Bypassed recipients	2
Total	35